

REMARKS

By the *Office Action* marked non-final of 4 August 2009, Claims 21-34 are pending in the Application, with Claims 21-34 being rejected. Claims 21, 25, 26, 29 and 32 are independent claims. Claim 32 has been amended to amend an obvious typographical error. Applicant and Applicant's counsel thank the Examiner with appreciation for the careful examination. No new matter is believed introduced by this submission.

Applicant files this *Response to Non-Final Office Action* solely to facilitate prosecution. As such, Applicant reserves the right to pursue claims of broader or similar scope as originally filed in a continuation application or other application after allowance of the present application. Applicant does not concede that the current or past rejections are correct and reserve the right to challenge such rejections later in prosecution or on appeal. Accordingly, any amendment, argument, or claim cancellation is not to be construed as abandonment or disclaimer of subject matter.

After entry of this *Response to Non-Final Office Action*, Claims 21-34 are pending. Applicant respectfully asserts that the pending claims are in condition for allowance and respectfully requests reconsideration of the claims in light of the following remarks.

I. Rejection Of Claims 21-34 Under 35 USC § 102

The Examiner rejects claims 21-34 under 35 U.S.C. §102(e) as being anticipated by Schuster et al. (US 6,795,429).

Applicant respectfully traverses. Claim 21 includes the limitations:

1. "obtaining a second identifier associated with persistent real-world information of said user from a network access provider (NAP) through which said user is connected to said service said second identifier associated with said first identifier at said NAP; and
2. "controlling access based on said second identifier".

The Examiner states that the first limitation above is disclosed by Schuster in Figs. 8-9 and that the second limitation above is disclosed by Schuster in Fig. 7-8 and 10.

Schuster describes (e.g. col. 6 lines 35-39) a PID enabled data network telephony system

that can be used to enable a user to take notes with a PID while participating in a voice conversation with a second user on a call that was initiated by the PID. Regarding figures 8-9 (col. 18 line 52 - col. 22 line 37) Schuster describes using the portable information device (PID) to initiate a call, record details about the call, and transmit data from one PID to another.

Schuster does not teach or suggest obtaining a second identifier associated with persistent real-world information of said user from a network access provider (NAP) through which said user is connected to said service said second identifier associated with said first identifier at said NAP. Schuster does not discuss the existence of a NAP. Schuster does not teach that the NAP records real world information about the users and Schuster does not teach that the second user is providing a service to the first user and requiring additional information about the first user from the NAP.

Figures 7-8 and 10 do not disclose controlling access based on the second identifier. These Figures refer to a PID application 652, which allows the first PID user to control record and exchange information about a current call with a second user and/or record the information in a database so that the user may search for information at a later time (e.g. col. 20 lines 5-22 and col. 22 lines 38-62). Schuster does not teach or suggest controlling access to a service based on a second identifier as required by claim 21.

Accordingly Schuster lacks limitations of claim 21 and does not anticipate the claim.

Regarding claim 22 the Examiner states that Schuster teaches that the service is selected from the group consisting of e-mail service, electronic banking, financial service, and firewall: in col. 7 lines 5-20. Applicant respectfully traverses. In col. 7 lines 5-20 Schuster discusses that the contents of the PID may be synchronized with a PC, which may contain contact information, schedule information, email services, task lists and other organizing functionality. Schuster does not teach or suggest that the PID user is requesting access to a service related to any of the services listed in the claim but merely synchronizing information with a PC.

Accordingly Schuster lacks limitations of claim 22 and does not anticipate the claim.

Regarding claim 24 the Examiner states that Schuster teaches "evaluating the reliability of said second identifier based on predetermined criteria; and determining the level of access to

provide to said user based on said reliability": in col. 9 lines 50-67.

Applicant respectfully traverses. In col. 9 lines 50-67 Schuster discusses a second network telephony server 162 being the destination for all SIP messages trying to establish a connection with telephone 218a. Schuster does not describe evaluating the reliability of the second identifier and determining a level of access.

Accordingly Schuster lacks limitations of claim 24 and does not anticipate the claim.

Regarding claim 25 the Examiner states that Schuster teaches "obtaining by a network device an identifier associated with a telephone line accessing a data network; and sending said identifier to be associated with a telephone call to a terminating telephone network": in Fig. 10 and col. 22, lines 38-40. Applicant respectfully traverses. Fig. 10 and col. 22, lines 38-40 discuss the PID recording the calls initiated by the PID and does not teach or suggest using a network device to identify the line used to access the data network and then transmit the information to a terminating telephone network.

Accordingly Schuster lacks limitations of claim 25 and does not anticipate the claim.

Regarding claim 26 the Examiner states that Schuster teaches "a method for verifying that an anonymous network user is an adult": in col. 6 lines 35-55. Applicant respectfully traverses. In col. 6 lines 35-55 Schuster discusses communicating from a first PID to a second PID and the transfer of information. Schuster does not describe or suggest determining the first user's age based on the information.

Accordingly Schuster lacks limitations of claim 26 and does not anticipate the claim.

Regarding claim 29 the Examiner states that Schuster teaches "A method for handling telephone calls during a dial-up Internet connection, the method comprising:

obtaining an identifier of a telephone line connecting a user to a data network from a network side of a connection between said user and said data network;

associating said identifier with information for contacting said user over said network; and

configuring incoming telephone calls to said user according to said information": in col.9, lines 7-19, figures 1-3 and the abstract. Applicant respectfully traverses. Schuster discusses establishing a telephone connection but does not teach or suggest handling incoming calls to the user during a dial up Internet connection as taught by claim 29. Thus Schuster does not teach the limitations of the claim (e.g. "configuring incoming telephone calls to said user according to said information").

Accordingly Schuster lacks limitations of claim 29 and does not anticipate the claim.

Regarding claim 32 the Examiner states that Schuster teaches "A system for handling telephone calls, the system comprising:

an extraction unit able to extract an identifier of a telephone line connecting a user to a data network from a network side of a connection between said user and said network;

an association unit able to associate said identifier with information for contacting a user associated with said telephone line over said network; and

a messenger system communicating with said user over said network using said information for contacting said user": in Figs. 7-8, 10 and col. 7, lines 5-20.

Applicant respectfully traverses. Schuster teaches one user connecting to another and does not teach or suggest an extraction unit, an association unit or a messenger system that operate from the network in identifying the user's telephone line.

Accordingly Schuster lacks limitations of claim 32 and does not anticipate the claim.

The dependent claims are patentable at least for the reason of their dependency.

Applicant submits that none of the cited prior art invalidates the patentability of the claims. Accordingly, applicant earnestly requests allowance of the claims.

II. Fees

This *Response to Non-Final Office Action* is being filed within three months of the *Office Action*. Therefore, no fees are believed due. If any additional fee is due, please charge any underpayment or credit any overpayment to Deposit Account No. 20-1507.

CONCLUSION

By the present response, it is clear that Claims 21-34 are in full condition for allowance. Accordingly, Application has been in placed in full condition for allowance. Accordingly, Applicant respectfully requests early and favorable action. Should the Examiner have any further questions or reservations, the Examiner is invited to telephone the undersigned Attorney at 404.885.3695.

Respectfully submitted,

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